

**BRIGHAM CITY PLANNING COMMISSION MEETING
TUESDAY, NOVEMBER 18, 2008 – 6:30 PM
BRIGHAM CITY COUNCIL CHAMBERS**

PRESENT:	Joan Peterson	Chairperson
	Barbara Poelman	Vice Chairperson
	Lynda Berry	Commissioner
	Reese Nielsen	Commissioner
ALSO PRESENT:	Ruth Jensen	City Council Liaison
	Jared Johnson	Community Development Manager
	Mark Bradley	City Planner
	Eliza McGaha	Secretary
EXCUSED:	Deon Dunn	Commissioner
	Paul Fowler	Commissioner
	Roger Handy	Commissioner

AGENDA:

WORK SESSION – AGENDA REVIEW

REGULAR MEETING

PLEDGE OF ALLEGIANCE

APPROVAL OF WORK SESSION MINUTES AND REGULAR MEETING MINUTES

PUBLIC COMMENT (*Per Utah Code, will receive input only, no decision can be made*) for items not listed on the agenda.

PUBLIC HEARING ² / APPLICATION #3041 / VACATION OF GREENER PASTURE SUBDIVISION – PHASE 1, LOT NO. 1 (CLARIFICATION OF EASEMENTS) / 1045 SOUTH 800 WEST / NICK LARSEN

DISCUSSION:
ZONING ORDINANCE

REGULAR MEETING:

Joan Peterson opened the regular meeting at 6:28 p.m. Mark Bradley led the Pledge of Allegiance.

APPROVAL OF WORK SESSION MINUTES AND REGULAR MEETING MINUTES:

MOTION: A motion was made by Barbara Poelman to approve the November 04, 2008 work session minutes. The motion was seconded by Lynda Berry and passed unanimously.

In the November 04, 2008 meeting minutes, page four on the sixth line of the first paragraph under application #3075 the word 'subdivisions' should replace the word 'lots' and the word 'lots' should be moved to follow the number '10'.

MOTION: A motion was made by Barbara Poelman to approve the November 04, 2008 regular meeting minutes as amended. The motion was seconded by Lynda Berry and passed unanimously.

PUBLIC COMMENT (*Per Utah Code, will receive input only, no decision can be made*):
There was no public comment.

PUBLIC HEARING ² / APPLICATION #3041 / VACATION OF GREENER PASTURE SUBDIVISION – PHASE 1, LOT NO. 1 (CLARIFICATION OF EASEMENTS) / 1045 SOUTH 800 WEST / NICK LARSEN:

The vacating of lot one was approved by the City Council with the condition that it will not be recorded until the plat is ready to be recorded and the existing easements be replaced on the new plat so the utilities are covered. Since that approval, the footprint and limitations have been reviewed and it has been requested that the 20-foot easement on the north of Lot 1 be reduced to 15-feet. There is an existing irrigation and storm drain line that runs along the north easement which is fairly close to the property line. Staff has reviewed the request and felt that at least 15-feet needed to be maintained based on the condition that the applicant participate in funding 50-percent of the cost to replace the existing irrigation and storm drain pipes. An estimate of \$9,184 was put together and a letter of consent from the applicant was received stating that the owners are willing to participate in the cost up to 50-percent and up to an amount of \$5,000. The 15-foot easement will be taken all the way over to the existing corner of the Greener Pasture Lot 1.

MOTION: A motion was made by Reese Nielsen to open the public hearing for application #3041. The motion was seconded by Barbara Poelman and passed unanimously.

There was no public comment.

MOTION: A motion was made by Reese Nielsen to close the public hearing for application #3041. The motion was seconded by Barbara Poelman and passed unanimously.

MOTION: A motion was made by Reese Nielsen to forward to the City Council with a recommendation to approve application #3041 to specifically include a reduction in the north utility easement of Lot 1 from 20-feet to 15-feet with the stipulation that the applicant must comply with the Staff evaluation, must comply with Chapter 25.05.01 Amendment to a Subdivision Plat, and comply with Utah Code 10-9a-608 Vacation or Changing a Subdivision Plat; based on the finding that the applicant will comply with the Staff evaluation and that such use will not under the circumstances of the particular case be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity and that such use is in compliance with the Brigham City General Plan. The motion was seconded by Barbara Poelman.

Discussion: Mr. Nielsen commented that because of the fact that the Staff evaluation specifies that the applicant will participate in funding 50-percent of the cost, he felt that did not need to be specifically addressed as a separate item but asked Mr. Bradley if he recommended that it be included as an added item in the motion. Mr. Bradley replied that it would be good to recognize, as a finding to support the motion, that the applicant had provided a letter stating that they are willing to participate.

Mr. Nielsen modified his motion to include the comment that the applicant had agreed to participate in the storm drain repair on a 50-percent basis up to an amount of \$5,000. Ms. Poelman agreed that was acceptable.

The motion passed unanimously.

DISCUSSION:

There was some comment about the remodeling of the plaza on 700 South Main, the new McDonald's building and other minor building permits and areas of development in the City. Mr. Bradley said there had been some interest in adding more multi-family zoning. The Kirk Nelsen subdivision will be back on the agenda at the request of Mr. Nelsen. There is interest for moving the Upland Square project forward by that applicant. Staff has been working with Perry and the other property owners on the 1200 South road dedication details. They are looking at doing a special improvement district. When that road goes in it will help with the commercial development side of things.

Mr. Bradley explained that because Main Street is primarily the General Commercial zone, Staff would like to make a change to prevent storage units from being allowed in the General Commercial zone. Staff would like to see storage units designated in a more appropriate location so the General Commercial zone can be fully utilized to have businesses that will generate more tax dollars and revenue in that particular area.

Jared Johnson has been working on an RFP to upgrade the entire zoning ordinance. A copy of the zoning ordinance was given those Commissioners that were present. After the recent update of the zoning ordinance it was found that there is a lot of information that had been taken out of the previous zoning ordinance that really needs to be in there such as landscaping, sensitive areas and such. The Off-Street parking section is the only area that talks about landscaping.

Mr. Nielsen commented that the subdivision ordinance was updated by a subcontracted consultant and because there were some changes in how zones were defined in the new General Plan, the zoning ordinance was scheduled to be updated. Due to the size and cost involved in doing that, it was not done as there was not money available to do that so the Planning Commission and Staff worked through chapters and sections at a time to try to bring the zoning ordinance up to date from the old General Plan to the new General Plan. He commented that he did not think City Staff had the time just to dedicate to that project but if there is funding available for a consultant to advise on a zoning ordinance that would bring it more in compliance with the current General Plan, make it flow and be consistent that would be good, which was the original intent.

Mr. Johnson commented that the main body of the current zoning ordinance dates back to the 1970's and had been added to or fixed over the years. He said a total rewrite of Title 29 Zoning Ordinance will be done to come into play with the brand new Title 25 Subdivision Ordinance.

MOTION: A motion was made by Barbara Poelman to adjourn. The motion was seconded by Lynda Berry and passed unanimously.

The meeting adjourned at 6:59 p.m.

This certifies that the regular meeting minutes of November 18, 2008 are a true and accurate copy as approved by the Planning Commission on December 02, 2008.

Signed: _____

Jeffery R. Leishman, Secretary